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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

IN RE CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

This Document Relates To:

*ViewSonic Corp. v. Chunghwa Picture Tubes,
Ltd., et al., No. 14-cv-02510*

Master File No. 3:07-cv-05944-SC

MDL No. 1917

**DECLARATION OF ASTOR H. L.
HEAVEN IN SUPPORT OF VIEWSONIC
CORPORATION'S OPPOSITION TO
CHUNGHWA PICTURE TUBES, LTD.
AND CHUNGHWA (MALAYSIA) SDN.
BHD.'S MOTION FOR PARTIAL
SUMMARY JUDGMENT FOR LACK OF
STANDING AS TO VIEWSONIC
CORPORATION**

1 I, Astor H. L. Heaven, hereby declare as follows:

2 1. I am an attorney duly admitted to practice before this Court, and am a counsel with
3 Crowell & Moring LLP, attorneys of record for Plaintiff ViewSonic Corporation. I make this
4 declaration in support of ViewSonic Corporation's Opposition to Chunghwa Picture Tubes, Ltd.
5 and Chunghwa (Malaysia) Sdn. Bhd.'s Motion for Partial Summary Judgment for Lack of
6 Standing as to ViewSonic Corporation. I have personal knowledge of the facts set forth herein,
7 except as to those stated on information and belief and, as to those, I am informed and believe
8 them to be true. If called as a witness, I could and would competently testify to the matters stated
9 herein.

10 2. ViewSonic is asserting direct damages from Chunghwa based in part on purchases
11 it made from Tatung from 2000 through 2004.

12 3. Attached hereto as **Exhibit 1** is a true and correct copy of highlighted excerpts
13 from the transcript of the deposition of Chih-Chun Liu taken February 19, 2013.

14 4. Attached hereto as **Exhibit 2** is a true and correct copy of Tatung's 2014
15 Shareholder Handbook.

16 5. Attached hereto as **Exhibit 3** is a true and correct copy of the Indictment of former
17 Chunghwa Chairman Chen Yuan Lin (C.Y. Lin) dated February 10, 2009.

18 6. Attached hereto as **Exhibit 4** is a true and correct copy of Chunghwa's Responses
19 to Plaintiff ViewSonic's First Set of Interrogatories.

20 7. Attached hereto as **Exhibit 5** is a true and correct copy of Chunghwa's Corporate
21 Governance Document from Chunghwa's Investor Relations website.

22 8. Attached hereto as **Exhibit 6** is a true and correct copy of Tatung Company of
23 America, Inc.'s Notice of Motion and Motion for Summary Judgment filed in the LCD Litigation
24 on April 27, 2012 by Gibson, Dunn, Crutcher LLP on behalf of Tatung Co. of America.

25 9. Attached hereto as **Exhibit 7** is a true and correct copy of the Declaration of Ernest
26 Huang in Support of Plaintiff ViewSonic Corporation's Memorandum in Opposition to
27 Defendants Chunghwa Picture Tubes, Ltd. and Chunghwa (Malaysia) Sdn. Bhd.'s Motion for
28 Summary Judgment for Lack of Standing as to ViewSonic Corporation.

1 10. Attached hereto as **Exhibit 8** is a true and correct copy of Defendant Tatung
2 Company's Answer to Nokia Corporation and Nokia Inc.'s First Amended Complaint for
3 Damages and Injunctive Relief.

4 11. Attached hereto as **Exhibit 9** is a true and correct copy of a Stipulated Order re
5 Chunghwa Picture Tubes' Time to Respond to Consolidated Complaints.

6 12. Attached hereto as **Exhibit 10** is a true and correct copy of Tatung Corporate
7 Milestones from Tatung's website.

8 13. Attached hereto as **Exhibit 11** is a true and correct copy of the Plea Agreement of
9 Chih-Chun "C.C." Liu.

10 14. Attached hereto as **Exhibit 12** is a true and correct copy of translated excerpts
11 from the 2001 Annual Report of Chunghwa Picture Tubes, Ltd.

12 15. Attached hereto as **Exhibit 13** is a true and correct copy of translated excerpts
13 from the 2002 Annual Report of Chunghwa Picture Tubes, Ltd.

14 16. Attached hereto as **Exhibit 14** is a true and correct copy of translated excerpts
15 from the 2003 Annual Report of Chunghwa Picture Tubes, Ltd.

16 17. Attached hereto as **Exhibit 15** is a true and correct copy of translated excerpts
17 from the 2004 Annual Report of Chunghwa Picture Tubes, Ltd.

18 18. Attached hereto as **Exhibit 16** is a true and correct copy of translated excerpts
19 from the 2005 Annual Report of Chunghwa Picture Tubes, Ltd.

20 19. Attached hereto as **Exhibit 17** is a true and correct copy of translated excerpts
21 from the 2006 Annual Report of Chunghwa Picture Tubes, Ltd.

22 20. Attached hereto as **Exhibit 18** is a true and correct copy of translated excerpts
23 from the 2007 Annual Report of Chunghwa Picture Tubes, Ltd.

24 21. Attached hereto as **Exhibit 19** is a true and correct copy of translated excerpts
25 from the 2008 Annual Report of Chunghwa Picture Tubes, Ltd.

26 22. Attached hereto as **Exhibit 20** is a true and correct copy of translated excerpts
27 from the 2009 Annual Report of Chunghwa Picture Tubes, Ltd.
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1 23. Attached hereto as **Exhibit 21** is a true and correct copy of translated excerpts
2 from the 2010 Annual Report of Chunghwa Picture Tubes, Ltd.

3 24. Attached hereto as **Exhibit 22** is a true and correct copy of translated excerpts
4 from the 2011 Annual Report of Chunghwa Picture Tubes, Ltd.

5 25. Attached hereto as **Exhibit 23** is a true and correct copy of translated excerpts
6 from the 2012 Annual Report of Chunghwa Picture Tubes, Ltd.

7 26. Attached hereto as **Exhibit 24** is a true and correct copy of translated excerpts
8 from the 2013 Annual Report of Chunghwa Picture Tubes, Ltd.

9 27. Attached hereto as **Exhibit 25** is a true and correct copy of translated excerpts
10 from the 2000 Annual Report of Tatung Co.

11 28. Attached hereto as **Exhibit 26** is a true and correct copy of translated excerpts
12 from the 2001 Annual Report of Tatung Co.

13 29. Attached hereto as **Exhibit 27** is a true and correct copy of translated excerpts
14 from the 2002 Annual Report of Tatung Co.

15 30. Attached hereto as **Exhibit 28** is a true and correct copy of translated excerpts
16 from the 2003 Annual Report of Tatung Co.

17 31. Attached hereto as **Exhibit 29** is a true and correct copy of translated excerpts
18 from the 2004 Annual Report of Tatung Co.

19 32. Attached hereto as **Exhibit 30** is a true and correct copy of translated excerpts
20 from the 2005 Annual Report of Tatung Co.

21 33. Attached hereto as **Exhibit 31** is a true and correct copy of translated excerpts
22 from the 2006 Annual Report of Tatung Co.

23 34. Attached hereto as **Exhibit 32** is a true and correct copy of translated excerpts
24 from the 2007 Annual Report of Tatung Co.

25 35. Attached hereto as **Exhibit 33** is a true and correct copy of translated excerpts
26 from the 2008 Annual Report of Tatung Co.

27 36. Attached hereto as **Exhibit 34** is a true and correct copy of translated excerpts
28 from the 2009 Annual Report of Tatung Co.

1 37. Attached hereto as **Exhibit 35** is a true and correct copy of translated excerpts
2 from the 2010 Annual Report of Tatung Co.

3 38. Attached hereto as **Exhibit 36** is a true and correct copy of translated excerpts
4 from the 2011 Annual Report of Tatung Co.

5 39. Attached hereto as **Exhibit 37** is a true and correct copy of translated excerpts
6 from the 2012 Annual Report of Tatung Co.

7 40. Attached hereto as **Exhibit 38** is a true and correct copy of translated excerpts
8 from the 2013 Annual Report of Tatung Co.

9 41. Attached hereto as **Exhibit 39** is a true and correct copy of translated excerpts
10 from the 2000 Annual Report of JEAN Co., Ltd.

11 42. Attached hereto as **Exhibit 40** is a true and correct copy of translated excerpts
12 from the 2001 Annual Report of JEAN Co., Ltd.

13 43. Attached hereto as **Exhibit 41** is a true and correct copy of translated excerpts
14 from the 2002 Annual Report of JEAN Co., Ltd.

15 44. Attached hereto as **Exhibit 42** is a true and correct copy of translated excerpts
16 from the 2003 Annual Report of JEAN Co., Ltd.

17 45. Attached hereto as **Exhibit 43** is a true and correct copy of translated excerpts
18 from the 2004 Annual Report of JEAN Co., Ltd.

19 46. Attached hereto as **Exhibit 44** is a true and correct copy of translated excerpts
20 from the 2005 Annual Report of JEAN Co., Ltd.

21 47. Attached hereto as **Exhibit 45** is a true and correct copy of translated excerpts
22 from the 2006 Annual Report of JEAN Co., Ltd.

23 48. Attached hereto as **Exhibit 46** is a true and correct copy of translated excerpts
24 from the 2007 Annual Report of JEAN Co., Ltd.

25 49. Attached hereto as **Exhibit 47** is a true and correct copy of translated excerpts
26 from the 2008 Annual Report of JEAN Co., Ltd.

27 50. Attached hereto as **Exhibit 48** is a true and correct copy of translated excerpts
28 from the 2009 Annual Report of JEAN Co., Ltd.

1 51. Attached hereto as **Exhibit 49** is a true and correct copy of translated excerpts
2 from the 2010 Annual Report of JEAN Co., Ltd.

3 52. Attached hereto as **Exhibit 50** is a true and correct copy of translated excerpts
4 from the 2011 Annual Report of JEAN Co., Ltd.

5 53. Attached hereto as **Exhibit 51** is a true and correct copy of translated excerpts
6 from the 2012 Annual Report of JEAN Co., Ltd.

7 54. Attached hereto as **Exhibit 52** is a true and correct copy of translated excerpts
8 from the 2013 Annual Report of JEAN Co., Ltd.

9 55. Attached hereto as **Exhibit 53** is a true and correct copy of Deposition Exhibit
10 1229E, the translation of a document produced by defendant Chunghwa in this litigation Bates-
11 numbered CHU00028768 – CHU00028770.

12 56. Attached hereto as **Exhibit 54** is a true and correct copy of Deposition Exhibit
13 1159E, the translation of a document produced by defendant Chunghwa in this litigation Bates-
14 numbered CHU00030979 – CHU00030984.

15 57. Attached hereto as **Exhibit 55** is a true and correct copy of Deposition Exhibit
16 1142E, the translation of a document produced by defendant Chunghwa in this litigation Bates-
17 numbered CHU00029235 – CHU00029237.

18 58. Attached hereto as **Exhibit 56** is a true and correct copy of Deposition Exhibit
19 1175E, the translation of a document produced by defendant Chunghwa in this litigation Bates-
20 numbered CHU00031142 – CHU00031147.

21 59. Attached hereto as **Exhibit 57** is a true and correct copy of Deposition Exhibit
22 660E, the translation of a document produced by defendant Chunghwa in this litigation Bates-
23 numbered CHU00029316 – CHU00029320.

24 60. Attached hereto as **Exhibit 58** is a true and correct copy of the Declaration of
25 Philip J. Iovieno in Support of Plaintiffs' Opposition to Defendants' Motion for Partial Summary
26 Judgment for Lack of Standing Under *Illinois Brick* and *ATM Fee*, as filed in *In re TFT-LCD*
27 *(Flat Panel) Antitrust Litig.*, No. 07-1827-SI (N.D. Cal.) on August 20, 2012.
28

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed this 23rd day of December, 2014 at Washington, District of Columbia.

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5 /s/ Astor H.L. Heaven
Astor H.L. Heaven
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